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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/381,538 | 09/21/1999 | KLAUS-ERWIN GROGER | 10191/1098 | 4090 |

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EXAMINER

DALENCOURT, YVES

ART UNIT

PAPER NUMBER

2635

DATE MAILED: 10/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/381,538

Applicant(s)
Klaus-Erwin Gröger

Examiner
Yves Dalencourt

Art Unit
2635



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 21, 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Sep 21, 1999 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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DETAILED ACTION

This action is responsive to communication filed on 09/21/1999.

The examiner has acknowledged the preliminary amendment.

Drawings

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

The boxes in figure 1 need to be labeled as required under 37 CFR 1.83(a).

Specification

The disclosure is objected to because of the following informalities: Elements 22-25 are named transponders (page 3, line 8 and page 4, line 21), they are also named as : energy recovery circuit (element 22; page 3, line 22); energy reservoir (element 23; page 3, line 4); transmission unit (element 24; page 3, line 28); and control unit (element 25; page 5, line 20.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 - 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loeffler et al (US 5838074; hereinafter Loeffler) in view of Grewe et al (US 5625608; hereinafter Grewe).

Regarding claim 9 - 15, Loeffler teaches an arrangement for influencing an operating state of an electronic device (figure 1a) comprising a movable part (figure 1b) for operating the electronic device, the movable part including a transponder (2, figure 1b), a code generator (24, figure 1b); and a transmission and reception device connected to the electronic device and including a transmission unit for emitting an electromagnetic oscillation for exciting the transponder (col. 2, lines 52 - 57), a reception unit for receiving and demodulating a modulated electromagnetic oscillation emitted from the transponder (col. 2, lines 52 - 64); and an analysis unit for converting the demodulated electromagnetic oscillation emitted from the transponder into control instructions for influencing the operating state of the electronic device, wherein the code generator generates a plurality of codes in order to modulate the electromagnetic oscillation emitted from the transponder, and a plurality of further operating states of the electronic device is initiated by a selection of the plurality of codes (col. 3, lines 1 - 46; see claim 1).

Loeffler et al teaches all the limitations, but fails to specifically teach an arrangement comprising at least one operating unit for operating an electronic device.

However, Grewe et al teaches, in the same field of endeavor, a remote control device capable of downloading content information from an audio system with an arrangement

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comprising at least one operating unit for operating an electronic device (51-56, figure 3; col. 4, lines 41 - 66; col. 5, lines 55 - 57).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included an arrangement comprising at least one operating unit for operating an electronic device in Loeffler et al's device as taught by Grewe et al for the purpose of providing an enhanced and reliable remote controller.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loeffler et al (US 5838074; hereinafter Loeffler) as applied to claim 15 above, and further in view of Joachim Dunnebacke (US 5874888; hereinafter Dunnebacke).

Regarding claim 16, Loeffler et al and Grewe et al teach all the limitations on claim 15, but fail to specifically an entertainment electronics device which includes an audio device for a motor vehicle.

However, Dunnebacke teaches, in the same field of endeavor, an entertainment electronics device which includes an audio device for a motor vehicle (col. 3, lines 48 - 54).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used an entertainment electronics device which includes an audio device for a motor vehicle in Loeffler et al and Grewe et al's device as taught by Dunnebacke for the purpose of preventing theft of entertainment electronics device in a motor vehicle.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. .

Lowe et al (US Patent Number 5,864,580) discloses a miniature wireless modem.

Platte et al (US Patent Number 4,728,949) discloses a remote control device for controlling various functions of one or more appliances.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (703) 308-8547. The examiner can normally be reached on Monday through Thursday from 7:30AM to 6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on (703) 305-4704. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Yves Dalencourt



September 26, 2002



BRIAN ZIMMERMAN
PRIMARY EXAMINER